

AMENDED

Serial No. 52113

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

- MAY 18 1988 - NEW PRIORITY DATE: FEB 12 1996

Date of filing in State Engineer's Office.....

Returned to applicant for correction JUN 06 1988

Corrected application filed AUG 03 1988 Map filed AUG 03 1988 under 52103

The applicant H.H. Land & Cattle Company
Jay Hunt

P.O. Box 32 of Enterprise
Street and No. or P.O. Box No. City or Town

Utah 84725 hereby make application for permission to change the
State and Zip Code No.

place of use and point of diversion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit 3270, certificate 269
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Cottonwood Spring
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .05 c.f.s.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Stockwater and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Stockwater and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within SE 1/4 of Section 6, T. 5 S., R. 65 E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B. & M. from which point the NE Corner of Section 4, T. 6 S., R. 61 E. bears
distance to a section corner. If on unsurveyed land, it should be stated.
S. 62°49'W., at 57,100 feet or 10.81 miles.

6. The existing permitted point of diversion is located within location is recorded as N. 70°30' E.,
If point of diversion is not changed, do not answer
8 miles from the NE Corner of Section 4, T. 6 S., R. 61 E., M.D. B. & M.

7. Proposed place of use See item 7 attached
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use "From the point of diversion water is conveyed in a northwesterly
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
direction through a 1 1/2 inch pipeline 6300 feet to tank No. 1; thence N. 46°W. 6000
manner of use of irrigation permit, describe acreage to be removed from irrigation.
feet to tank No. 2 thence northwesterly 7200 feet to tank No. 3 thence N. 47° W.,
4800 feet to tank No. 4.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Water to be diverted into pipeline to the

proposed through in Section 12 T. 5 S., R. 64 E. thence continued down the wash to an
existing pipeline from Grassy Spring and other existing thoughts and existing throughs in
Sec. 31. S S., R. 64 E., Sec. 32 T. 4 S., R 64 E. Sec. 35 T. 4 S., R. 63 E. as shown on
pipes and flumes, or drilled well, etc.
Acc. Map
12. Estimated cost of works \$15000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use. 3 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See attached No. 15

This application also serves to correct the recorded point of diversion

/s/ Richard E. Fonger

By Richard E. Fonger

P.O. Box 491

Ely, Nevada 89301

Compared kh/ jm pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of Cottonwood Spring as heretofore granted under Permit 3270, Certificate 269 is issued subject to the terms and conditions imposed in said Permit 3270, Certificate 269 and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The total combined duty of water under Permits 52103 through 52118 inclusive and 52366 shall not exceed sufficient water for 900 head of cattle.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second or sufficient to water 900 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before May 17, 1991

Proof of completion of work shall be filed before June 17, 1991

Application of water to beneficial use shall be made on or before May 17, 1993

Proof of the application of water to beneficial use shall be filed on or before June 17, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 22 1991 IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed SEP 22 1997 office, this 17th day of May

Cultural map filed

Certificate No. 14737 Issued OCT 21 1997 A.D. 19 89

Peter G. Morros
State Engineer

CANCELLED JAN 05 1996 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Can. Rescinded 8.23.96